	Case 3:10-cv-00352-RCJ-RAM Do	cument 10 Filed 08/12/10 Page 1 of 2
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6	UNITED S	STATES DISTRICT COURT
7	DISTRICT OF NEVADA	
8	BRUCE BIRCH)
9	Petitioner,)) 3:10-cv-00352-RCJ-RAM
10	vs.)) ORDER
11	HOWARD SKOLNICK, et al.,)
12	Respondents.	
13		/
14	This action was opened by the Clerk of Court as an action for a writ of habeas corpus by a	
15	state prisoner, pursuant to 28 U.S.C. § 2254. Petitioner has submitted an application to proceed in	
16	forma pauperis. (Docket #1). However, no petition has been submitted. Unless an issue of federal	
17	constitutional or statutory law is implicated by the facts presented, there is no cognizable claim under	
18	federal habeas corpus. Estelle v. McGuire, 502 U.S. 62, 68 (1991). As there is no petition filed in	
19	this action, it will be dismissed, without prejudice to filing a petition as a new action.	
20	IT IS THEREFORE ORDERED that this action is DISMISSED, without prejudice, for	
21	failure to present a habeas corpus petition.	
22	IT IS FURTHER ORDERED that all pending motions, including the application to proceed	
23	in forma pauperis (Docket #1), are DENIED .	
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IT IS FURTHER ORDERED that petitioner may file a petition, but any such petition must be opened as a new case. **No further documents shall be filed in this case.**

IT IS FURTHER ORDERED that the Clerk of Court shall enter judgment accordingly.

DATED this 11th day of August, 2010.

UNITED STATES DISTRICT JUDGE